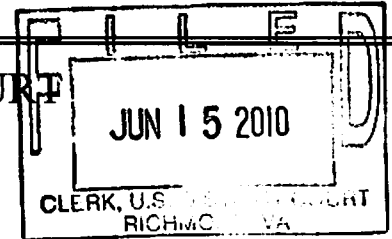


UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia



United States of America

v.

JOSEPH SMITH

Case No. 10MJ259

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of MAY 24, 2007 in the county of HENRICO in the
EASTERN District of VIRGINIA, the defendant(s) violated:

*Code Section*TITLE 18 UNITED STATES CODE
SECTION(s) 1951 (a)*Offense Description*

On or about May 24, 2007, in the Eastern District of Virginia and elsewhere, and within the jurisdiction of this court, JOSEPH SMITH did knowingly, intentionally, and unlawfully conspire with others to obstruct, delay, and affect commerce by robbery, to wit: by robbing JAMAL NASIR and WILLIE DONYELLE SMITH of personal property, and did commit physical violence in furtherance of a plan and purpose to rob JAMAL NASIR and WILLIE DONYELLE SMITH.

This criminal complaint is based on these facts:

SEE AFFIDAVIT

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 6/15/10City and state: Richmond VA

Complainant's signature

SA Michael N. Cash

Printed name and title

/s/

M. Hannah Lauck

United States Magistrate Judge

Judge's signature

~~The Honorable Dennis W. Dehnal~~

Printed name and title

IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF VIRGINIA

Richmond Division

UNITED STATES OF AMERICA

v.

KEVIN LAMONT COLEMAN,
INDIA PERLETA SMITH,
LEVON JERMAINE SMITH,
SHEPPARD CARY THOMAS III,
JOSEPH SMITH

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)
)
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No. 3:09MJ__

Defendants.

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I am a Special Agent with the Drug Enforcement Administration (DEA) since January 1997. I, Michael Neil Cash, being duly sworn, depose and say:

1. This On or about May 24, 2007, in the Eastern District of Virginia and elsewhere, and within the jurisdiction of this Court, KEVIN LAMONT COLEMAN, INDIA PERLETA SMITH, LEVON JERMAINE SMITH, SHEPPARD CARY THOMAS III, and JOSEPH SMITH did knowingly, intentionally, and unlawfully conspire with others to obstruct, delay, and affect commerce by robbery, to wit: by robbing JAMAL NASIR and WILLIE DONYELLE SMITH of personal property, and did commit physical violence in furtherance of a plan and purpose to rob JAMAL NASIR and WILLIE DONYELLE SMITH in violation of Title 18, United States Code, Section 1951(a).

2. All information contained in this affidavit is either based upon my personal knowledge and observations or that of other sworn law enforcement officers participating in this investigation. This affidavit does not include each and every fact known to the government


therefore; I have set forth only those facts necessary to support probable cause for the arrest of KEVIN LAMONT COLEMAN, INDIA PERLETA SMITH, LEVON JERMAINE SMITH, SHEPPARD CARY THOMAS, III, and JOSEPH SMITH.

3. On May 24th, 2007 KEVIN LAMONT COLEMAN, INDIA PERLETA SMITH, LEVON JERMAINE SMITH, and SHEPPARD CARY THOMAS, III conspired to abduct and rob JAMAL NASIR and WILLIE DONYELLE SMITH of US Currency and marijuana at 113 Brenton Street in Richmond, Virginia. The group had learned prior to this date that JAMAL NASIR and WILLIE SMITH were distributors of controlled substances; their status as drug deals was part of the motivation for the robbery. On the afore-mentioned date, the subjects lured the victims to the residence under the guise of having sexual relations with INDIA PERLETA SMITH. When the victims arrived at the residence, they were physically overcome by the suspects, bound with duct tape, and held captive with firearms. KEVIN LAMONT COLEMAN, INDIA PERLETA SMITH, LEVON JERMAINE SMITH, SHEPPARD CARY THOMAS, III, and JOSEPH SMITH robbed the victims of United States currency, approximately an ounce of marijuana, and Nasir's vehicle. The victims were forced into the trunk of their car and transported to Caroline County. The victims died as result of being bound, gagged, and left to suffocate in the trunk of the vehicle.

4. KEVIN LAMONT COLEMAN, INDIA PERLETA SMITH, LEVON JERMAINE SMITH, SHEPPARD CARY THOMAS III, made statements after waiving Miranda, admitting to these events and provided intimate details as to their particular roles in perpetrating these crimes.

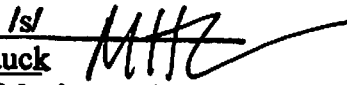
5. Based upon the afore-mentioned facts, there is probable cause to believe that KEVIN LAMONT COLEMAN, INDIA PERLETA SMITH, LEVON JERMAINE SMITH, SHEPPARD

CARY THOMAS, III, and JOSEPH SMITH did knowingly, intentionally, and unlawfully conspire with others to obstruct, delay, and affect commerce by robbery, to wit: by robbing JAMAL NASIR and WILLIE DONYELLE SMITH of personal property, and did commit physical violence in furtherance of a plan and purpose to rob JAMAL NASIR AND WILLIE DONYELLE SMITH in violation of Title 18, United States Code, Section 1951(a).


Michael Neil Cash
Special Agent
Drug Enforcement Administration

Reviewed by: Roderick Young, AUSA

Sworn to and subscribed before me this ¹⁵th day of June 2010.


The Honorable M. Hannah Lauck
United States Magistrate Judge
Richmond, Virginia

M. Hannah Lauck
United States Magistrate Judge